THE TOBACCO INSTITUTE, INC.
1776 K STREET, NORTHWEST
WASHINGTON, D. C. 20006
296-0434

HORACE R. KORNEGAY
PRESIDENT & EXECUTIVE DIRECTOR

December , 1970

Federal Trade Commission
Washington, D.C. 20680

Gentlemen:

In accordance with the Commission's Press Release of October 1, 1970, requesting cigarette manufacturers to advise the Commission exactly how they voluntarily intend to disclose "tar" and nicotine content in cigarette advertising under a voluntary program, I am pleased to transmit to the Commission the enclosed letter, which constitutes a revision of the letter and memorandum forwarded to the Commission on October 23, 1970, signed by Brown & Williamson Tobacco Corporation; Larus & Brother Company, Inc., trading as The House of Edgeworth; Liggett & Myers Incorporated, Cigarette and Tobacco Division; Lorillard, a Division of Loew's Theatres, Inc.; Philip Morris U.S.A.; R.J. Reynolds Tobacco Company; Stephano Brothers; and United States Tobacco Company.

The companies are aware of the Commission's view, as expressed in the Press Release, by Chairman Miles W. Kirkpatrick, that "A trade regulation rule, if contested in the courts, might take a long time to become effective; a workable, voluntary plan by the industry could be put into effect immediately."

In submitting the program embodied in the enclosed letter on behalf of these companies, I have been directed to state further on behalf of each of them that it is not to be considered an admission that the Federal Trade Commission is authorized to promulgate a trade regulation rule, or that this voluntary program may be included for any purpose in

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any public hearing held on the Federal Trade Commission's proposal of August 8, 1970, or any like proposal.

While each company will fully adhere to the voluntary program submitted, it does not by doing so admit that the failure affirmatively to disclose in its advertising any "tar" and nicotine test results, which the Federal Trade Commission from time to time determines and publishes, constitutes a violation of law.

In order to facilitate the Commission determination, I am enclosing a memorandum of some explanatory material and facts underlying the provisions of the proposed voluntary program.

Very truly yours,

Horace R. Kornegay

Enclosures

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